

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

NETCHOICE,

Plaintiff,

v.

ROB BONTA, in his official capacity as
Attorney General of California,

Defendant.

Case No. _____

**DECLARATION OF ANTIGONE DAVIS
IN SUPPORT OF PLAINTIFF
NETCHOICE'S MOTION FOR
PRELIMINARY INJUNCTION**

**DECLARATION OF ANTIGONE DAVIS IN SUPPORT OF PLAINTIFF
NETCHOICE'S MOTION FOR PRELIMINARY INJUNCTION**

1 I, Antigone Davis, declare as follows:

2 1. I am the Vice President, Global Head of Safety, at Meta Platforms, Inc. ("Meta"),
3 and have been employed in that position since October 2014. I am over the age of 18 years and
4 maintain an office at 575 7th Street NW, Suite 700, in Washington, DC. I make this Declaration
5 in support of Plaintiff's Motion for a Preliminary Injunction in the above-captioned matter. I have
6 personal knowledge of the matters set forth in this Declaration as well as knowledge based on a
7 review of company records kept in the ordinary course of business, and if called as a witness, I
8 could and would testify under oath as follows.

9 2. I have dedicated the better part of my adult life to protecting the safety and well-
10 being of young people. In my role at Meta, I lead the global team responsible for ensuring that
11 Meta remains a leader in online safety, and my work covers safety across all of Meta's platforms
12 and surfaces, including both Facebook and Instagram. As part of my role, I coordinate the efforts
13 of Meta's Safety Advisory Council,¹ a team of leading safety organizations from around the world
14 who provide Meta with cutting-edge research and advice on best practices, particularly relating to
15 young people and other vulnerable groups. I also lead our work with our Youth Advisors, our
16 advisory group on suicide prevention, and a global safety network of more than 850 organizations
17 around the world.

18 3. I also serve on the board of the Technology Coalition, an organization dedicated to
19 fighting child sexual exploitation. I previously served on the boards of the National Center for
20 Missing and Exploited Children ("NCMEC"), the National Cybersecurity Alliance, the Family
21 Online Safety Institute, the National Network to End Domestic Violence, the National Center for
22 the Victims of Crime, and the International Advisory Board for WePROTECT, a global alliance
23 working to protect children from sexual exploitation and abuse online. Before working at Meta, I
24 worked for the Office of the Maryland Attorney General helping to establish the office's first
25 online privacy and safety unit.

26
27
28 ¹ Meta, *Learn More About the Meta Safety Advisory Council*, <https://en-gb.facebook.com/help/222332597793306>.

Background

² Meta, *Company Information*, <https://about.meta.com/company-info/>.

1 for 24 hours; and might similarly react to or “comment” on other users’ “Reels” and “Stories.” In
2 other words, Facebook’s and Instagram’s features allow users to express themselves and to connect
3 with others.³

4 10. Facebook displays content in Feed, a feature it launched in 2006. Feed shows a
5 constantly updated and personalized list of content—for example, status updates from friends or
6 elected officials, photos and videos from family gatherings, articles from local or national news
7 outlets, information about upcoming community events or religious services, and much more.

8 11. Instagram similarly displays content in Instagram Feed, a feature it launched in
9 2010. Instagram Feed shows a constantly updated and curated list of photos and videos—for
10 example, posts from friends, family, businesses, neighborhood groups, news outlets and much
11 more.

12 12. People's experience with Facebook and Instagram is personalized based on their
13 activity, because not everyone is interested or disinterested in the same things, and interests may
14 change over time. To make users’ experiences relevant, personalized and unique to them,
15 Facebook and Instagram use artificial intelligence systems to decide what content appears and in
16 what order, informed by a variety of factors including users’ own choices, at any given time.⁴ On
17 Facebook and Instagram, Meta suggests certain content in users’ Feeds.⁵ These Feeds employ
18 prediction models that use many input signals, such as the user’s location, who created a post, how
19 a user previously interacted with posts from the same user or category, and the number of people
20 mentioned in a post’s comments, among others, to help select content users are most likely to find
21 interesting and engage with. The models and their input signals are dynamic and change frequently
22 over time.

23
24 ³ Meta, *Instagram Features*, <https://about.instagram.com/features>.

25 ⁴ Meta, *How AI Influences What You See on Facebook and Instagram* (June 29, 2023),
26 <https://about.fb.com/news/2023/06/how-ai-ranks-content-on-facebook-and-instagram/>; Meta,
Our approach to explaining ranking, <https://transparency.meta.com/features/explaining-ranking/>.

27 ⁵ Meta, *Learn About and Manage Suggested Content in Your Facebook Feed*,
28 <https://www.facebook.com/help/485502912850153>; Meta, *How Instagram determines which posts appear as suggested posts*, <https://help.instagram.com/381638392275939>.

**Teens and Adults Can Use Facebook and Instagram for
Social, Informational, Educational, Political, and Other Purposes**

13. All users—from teens to adults—can use Facebook and Instagram for a variety of purposes, including to: make social connections; showcase creative talents; gather information about the world around them; learn and receive education; and participate in the democratic process.

14. ***Make Social Connections.*** Users can use Facebook and Instagram to make and foster social connections. Facebook’s features—such as Feed, Stories, Groups and Pages—help people connect with friends, family, and communities of people who share their interests.⁶ For example, a high-school user might make a friend at school and connect with them on Facebook to stay in touch over the summer; engage with one-another’s photos and videos during travels apart; and chat with mutual friends in the comments. Similarly, the Facebook Groups feature facilitates social connections among people who have similar interests—from robotics, SAT prep, and mental health advocacy, to stargazing, sports, baking and parenting—and allows them to learn from and share with each other, and develop a network of like-minded individuals they may never have met otherwise.

15. Instagram also provides users with opportunities to catch up with friends and explore shared interests.⁷ For instance, users can compose short posts (called Notes), which appear at the top of their followers’ or close friends’ inboxes. Users have said the Notes feature provides them with a casual and spontaneous way to express themselves, start conversations, and ask followers for recommendations. Instagram users can also share photos, videos, and messages with their friends.

16. ***Showcase Creative Talents.*** Facebook and Instagram also provide outlets for creative expression. Users can share their artwork, photography, and poetry with their friends through the Feed and Stories features on both Facebook and Instagram. Further, artists looking to

⁶ Meta, *About Facebook*, <https://about.meta.com/technologies/facebook-app/>.

⁷ Meta, *Introducing New Ways to Connect on Instagram* (Dec. 13, 2022), <https://about.instagram.com/blog/announcements/updates-to-instagram-messenger-and-stories>.

1 grow their business can create business pages on Facebook and Instagram, allowing them to
2 expand their reach, share their art with wider audiences, and connect with potential customers.⁸
3 An Independent Artist Program allows undistributed musicians to easily distribute their music on
4 Facebook and Instagram, providing aspiring musicians with an opportunity to not only share their
5 creative talents, but also to earn money and gain insights into who is listening to their content.⁹

6 17. ***Gather Information About the World.*** Universities, the U.S. armed forces, elected
7 officials, government agencies, advocacy organizations, support groups, charities, scholarship
8 programs, religious institutions, businesses, sports teams, and more have pages or profiles on
9 Facebook and Instagram. Users, including parents, can access these pages to learn more about the
10 world around them—for example, to identify opportunities with youth organizations in their
11 area—like the Boy and Girl Scouts of America, YMCA, and 4-H, all of which have pages on
12 Facebook and Instagram. They can access pages to get more information about their favorite
13 sports teams—such as to learn when the next Golden State Warriors game is scheduled or to see
14 highlights from the San Jose State Track team’s latest meet. Users, depending on their age and
15 interests, might seek out Facebook or Instagram pages to learn about events at their local
16 community center; ways to get involved with their local church or place of worship; opportunities
17 to volunteer for causes they care about; hear about available scholarships or study abroad
18 programs; find help with algebra or physics homework; or communicate with elected officials.

19 18. Facebook and Instagram also allow both individual users and nonprofits to tap into
20 their networks and fundraise for causes they care about. Through Facebook and Instagram, users
21 have raised more than \$7 billion for important causes, ranging from funding medical research to
22 donating school supplies to children in need.¹⁰

23 19. A wide range of global, national, and local news sources and public services
24 provide up-to-date reporting through their Facebook and Instagram pages. Following these pages

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26 ⁸ Meta, *Meta Business Suite*, <https://www.facebook.com/business/tools/meta-business-suite>.

27 ⁹ Meta, *Meta Independent Artist Program*, <https://www.facebook.com/formedia/independent-artist-program>.

28 ¹⁰ Meta, *We Can Do More Together*, <https://about.meta.com/giving-together/>.

1 equips users with a greater understanding of both the world around them and their local
2 communities. For instance, the Federal Emergency Management Agency (FEMA) has a Facebook
3 page, which provides the latest information about disasters around the nation and has instructions
4 on how affected individuals can apply for disaster aid. On the local level, users can turn to
5 community news organizations' pages on Facebook or Instagram to learn about the latest
6 developments in local politics, or their municipality's pages to keep abreast of public service
7 disruptions, road closures, and public meetings.

8 20. ***Natural Disaster Notifications and Alerts.*** Facebook and Instagram enable people
9 to connect and support each other, as well as receive urgent notifications, in life's most critical
10 moments. For example, if Meta believes a Facebook user is located within a disaster zone, the
11 user may receive a notification from Facebook asking if they are safe, so they can quickly reassure
12 friends and family.¹¹ Facebook users can also ask if a friend is safe, which will trigger a
13 notification to the friend so they can mark themselves safe. Facebook and Instagram can also
14 connect users in need of resources such as food, supplies, or shelter with those able to give.

15 21. ***Local Alerts.*** Local governments, public health agencies, and first responder pages
16 on Facebook can send immediate notifications to Facebook users in designated geographical areas
17 to communicate urgent information about weather emergencies, active shooters, missing persons
18 cases, road closures, public service disruptions, and more.¹² State election authorities, some local
19 election authorities, and county or municipal government agencies can also use Facebook to send
20 urgent, actionable and broadly relevant notifications to voters about polling locations, voting time
21 frames, rules about voter eligibility, and the like.¹³

22 22. ***Educational Opportunities on Facebook and Instagram.*** Facebook and Instagram
23 provide users with access to educational opportunities. Through the Groups feature on Facebook,
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25 ¹¹ Facebook, *Crisis Response*, <https://www.facebook.com/about/crisisresponse/>.

26 ¹² Meta, *Local Alerts Guidelines*,
<https://www.facebook.com/business/help/347939405788447?id=1549080658590154>.

27 ¹³ Meta, *Voting Alerts Guidelines*,
28 <https://www.facebook.com/business/help/626587208260920?id=1549080658590154>.

users can learn from and work with others to understand the world around them. For instance, users can learn about subjects ranging from math and phonics to astrophysics and philosophy. On Instagram, users can view reels with tutorials containing practical advice on everyday tasks, from fixing a sprinkler head to designing PowerPoint presentations. Aspiring college students can follow Facebook and Instagram pages for colleges and universities around the globe to learn about the application process, different courses of study, and student life. For some people, such as students who live in regions without postsecondary institutions, or for those who will be the first in their family to attend college, this material might not be easily available to them otherwise.

23. ***Participate in the Democratic Process.*** Many elected officials, candidates, and staff have accounts on Facebook and Instagram that they use to disseminate speech on political issues, as do political and issue-advocacy organizations. In many instances, users can interact with these accounts by following them, viewing the speech and content they share, and responding with speech and content of their own. Facebook and Instagram also offer a number of resources to help users keep themselves informed about the democratic process. For example, Facebook provides a Voting Information Center that offers users information about voting, registration, and becoming a poll worker that is provided in collaboration with state election officials and nonpartisan organizations.¹⁴ And on Facebook and Instagram, Meta sends users in-app notifications to connect them with details about voter registration and elections that are provided by their state and local election officials.¹⁵

24. Meta has long recognized the importance of their users having a voice and allowing debate on topics about which people may disagree. But Meta takes action to block groups that disseminate content that harasses or threatens violence. For example, Meta has banned more than a thousand militarized social movements and over 270 white supremacist organizations from its

¹⁴ Facebook, *Voting Information Center* (Oct. 28, 2024), <https://www.facebook.com/votinginformationcenter>

¹⁵ Meta, *Meta Policies and Safeguards for Elections Around the World*, <https://about.meta.com/actions/preparing-for-elections-with-meta/>.

services.¹⁶ In the aftermath of Myanmar’s military coup in February 2021, Meta banned Myanmar military and military-controlled state and media entities from Facebook and Instagram, but also protected content, including political speech, that allowed “the people of Myanmar to express themselves and to show the world what is transpiring inside their country.”¹⁷ In Q4 2023, Meta also removed dozens of Chinese accounts that, while posing as members of U.S. military families, targeted American audiences with military-themed content and attempted to undermine U.S. support for Taiwan.¹⁸

Users’ Experiences on Facebook and Instagram Services

25. A survey and interviews conducted by Harvard University in 2015 and 2016 found that teens viewed social media “predominantly” positively, though they reported both positive and negative impacts on their relationships and self-expression.¹⁹ In more recent years, a study on the rates of Facebook adoption in 72 countries found that overall, “Facebook adoption positively predicted well-being,” an association that held “when comparing countries to each other” and to themselves over time.²⁰

26. Surveys have found that social media can promote connectedness, reduce social isolation, and help users find support. A recent Gallup survey found that 42% of persons aged 15 or older in the United States said they needed support or help from others in the past 30 days, and nearly one-third of those persons used Meta’s services to get that support.²¹ A survey by the Pew

¹⁶ Meta, *An Update to How We Address Movements and Organizations Tied to Violence* (Oct. 17, 2022), <https://about.fb.com/news/2020/08/addressing-movements-and-organizations-tied-to-violence/>.

¹⁷ Meta, *Myanmar Military Banned from Facebook and Instagram with Immediate Effect* (Feb. 24, 2021), <https://about.fb.com/news/2021/02/an-update-on-myanmar/>.

¹⁸ Meta, *Adversarial Threat Report* (February 2024), at 18–19, <https://tinyurl.com/3fyuvbuk>.

¹⁹ Meta, *What Our Research Really Says about Teen Well-Being and Instagram* (Sept. 26, 2021), <https://about.fb.com/news/2021/09/research-teen-well-being-and-instagram/>.

²⁰ Matt Vuorre & Andrew K. Przybylski, *Estimating the Association Between Facebook Adoption and Well-being in 72 countries*, PsyArXiv (Sept. 16, 2022), <https://psyarxiv.com/r794k/>.

²¹ Meta & Gallup, *The State of Social Connections* (2022), available at <https://dataforgood.facebook.com/dfg/resources/state-of-social-connections-report>.

Research center found that the large majority of American teens (80%) agree that social media helps them connect with their friends, while some also pointed to its negative impacts, such as the 40% of teens who reported they sometimes decide not to post things because they worry it might be used to embarrass them.²² Pew surveys have also found that “[m]ajorities of teens believe social media helps people their age diversify their networks,” and that 69% of teens say that social media helps them “interact with people from different backgrounds.”²³ A recent study on the use of social media during the COVID-19 pandemic found that social media helped adolescents connect with family and peers, provided them with sources of comedic relief, and enabled participation in “social activism and community efforts consistent with their values” during this period of relative isolation.²⁴ And a 2024 report from the National Academies of Sciences, Engineering, and Medicine likewise finds that social media platforms offer adolescents a means for social connection.²⁵

27. These benefits can be most profound for the most at-risk and disadvantaged adolescents. The 2024 report from the National Academies of Sciences, Engineering, and Medicine found that social media platforms may offer “the most benefit” to adolescents with “chaotic home lives.”²⁶ Likewise, “teens from lower-income groups . . . tend to put strong value on the relationships they make online.” Since driving and car ownership are relatively more

²² Emily A. Vogels & Risa Gelles-Watnick, *Teens and Social Media: Key Findings from Pew Research Center Surveys*, Pew Research Center (Apr. 24, 2023), <https://www.pewresearch.org/short-reads/2023/04/24/teens-and-social-media-key-findings-from-pew-research-center-surveys/>.

²³ Emily A. Vogels & Risa Gelles-Watnick, *Teens’ Social Media Habits and Experiences*, Pew Research Center 9 (Nov. 28, 2018), <https://www.pewresearch.org/internet/2018/11/28/teens-social-media-habits-and-experiences> [hereinafter Pew Research].

²⁴ Sarah E. Rimel et al., *Technology Use During the COVID-19 Pandemic and the Ways in Which Technology Can Support Adolescent Well-being: Qualitative Exploratory Study*, JMIR Formative Research (2023), <https://formative.jmir.org/2023/1/e41694>.

²⁵ National Academies of Sciences, Engineering, and Medicine, *Social Media and Adolescent Health* (Sandro Galea et al. eds., 2024), at 73, <https://www.nationalacademies.org/our-work/assessment-of-the-impact-of-social-media-on-the-health-and-wellbeing-of-adolescents-and-children> [hereinafter National Academies].

²⁶ *Id.*

1 expensive today than for previous generations and public transit options are poor in most of the
2 United State, infrequent in-person socialization may be a fact of life for many adolescents from
3 lower-income groups.²⁷ Studies have also found that online-only friendships can be a source of
4 social support for youth who may be marginalized in their offline social environments. A study in
5 the Journal of Clinical Child and Adolescent Psychology found that “youth who are at-risk for
6 suicide, such as those who are LGBTQ . . . or have medical conditions, can gain support from
7 online-only friendships who are going through similar experiences.”²⁸ A study in the journal of
8 Child Abuse and Neglect found that LGBTQ youth rate their online-only friendships as more
9 supportive than in-person relationships and suggested that online spaces can provide “safe
10 haven[s]” for them.²⁹ The same can be true for young people suffering isolating illnesses such as
11 cancer and diabetes, who can use social media to “come together and support each other.”³⁰

12 28. For individuals with mental health issues, surveys have found that social media
13 services can be a valuable source of information and support. A 2018 national survey found that
14 “many young people say social media helps them find connection, support, and inspiration during
15 times of depression, stress, or anxiety”—and among those with symptoms of depression, 30% said
16 that social media is “very” important to them for feeling less alone.³¹ A 2019 literature review
17 found that “there is an association between high levels of psychological distress and engaging in
18 help-seeking online”—and that “many young people were going online to look for a space where
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21 ²⁷ *Id.* at 78.

22 ²⁸ Maya Massing-Schaffer et al., *Adolescent Peer Experiences and Prospective Suicidal*
23 *Ideation: The Protective Role of Online-Only Friendships*, J. of Clinical Child and Adolescent
Psych 9 (2022), <https://pubmed.ncbi.nlm.nih.gov/32324048/>.

24 ²⁹ Michelle Ybarra et al., *Online Social Support as a Buffer Against Online and Offline Peer and*
25 *Sexual Victimization Among U.S. LGBT and Non-LGBT Youth*, 39 Child Abuse & Neglect 123–
36 (2014), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6483382/>.

26 ³⁰ National Academies, *supra*, at 78.

27 ³¹ Victoria Rideout & Susannah Fox, *Digital Health Practices, Social Media Use, and Mental*
28 *Well-Being Among Teens and Young Adults in the U.S.*, Articles, Abstracts, and Reports 1093
(2018), <https://digitalcommons.psjhealth.org/publications/1093/>.

1 they could share their feelings without fear of judgment or labelling.”³² The authors added: “The
2 nonstigmatizing nature of internet help-seeking makes it an attractive option for marginalized
3 groups” such as “members of the LGBT+ community who may be fearful of disclosing personal
4 concerns to their informal networks.”³³

5 29. Studies have also observed that using social media to learn about public affairs and
6 one’s community can promote civic engagement. A study in the Journal of Computer-Mediated
7 Communication concluded that seeking information via social media services like Facebook “is a
8 positive and significant predictor of people’s social capital and civic and political participatory
9 behaviors, online and offline.”³⁴ And a Pew Research survey found that roughly two-thirds of
10 teens say that social media exposes them to different points of view and that majorities of teens
11 believe social media can help them “broaden their viewpoints and get involved with issues they
12 care about.”³⁵

13 **Meta’s Efforts to Promote Safety and Positivity on Facebook and Instagram**

14 30. Meta has invested substantial resources to promote a safe experience for teens and
15 empower parents to partner with their teens to ensure they have positive and fulfilling experiences
16 on Facebook and Instagram. Meta offers numerous tools, features and resources to support teens
17 and their parents,³⁶ and has around 40,000 people overall working on safety and security. Since
18 2016, Meta has invested over \$20 billion into safety and security. This work is core to Meta’s
19 mission of designing and building services that bring people together. Meta wants its services to

21 ³² Claudette Pretorius et al, *Young People’s Online Help-Seeking and Mental Health Difficulties:*
22 *Systematic Narrative Review*, 21 J. of Med. Internet Rsch. 10–11 (2019),
<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6891826/>.

23 ³³ *Id.* at 12.

24 ³⁴ Homero Gil de Zúñiga et al., *Social Media Use for News and Individuals’ Social Capital,*
25 *Civic Engagement and Political Participation*, 17 J. of Comput.-Mediated Commc’n 319 (2012),
<https://onlinelibrary.wiley.com/doi/full/10.1111/j.1083-6101.2012.01574.x>.

26 ³⁵ Pew Research, *supra*, at 9.

27 ³⁶ Meta, *Our Tools, Features, and Resources to Help Support Teens and Parents*,
28 <https://www.meta.com/help/policies/safety/tools-support-teens-parents/> [hereinafter Tools,
Features, and Resources].

1 be a place for meaningful interactions with friends and family, and cannot achieve that goal if
2 people do not feel safe.

3 31. **Minimum Age Policy.** Pursuant to Facebook’s Terms of Service and Instagram’s
4 Terms of Use, if a child in the United States is under the age of 13, they are not allowed to create
5 an account on Facebook or Instagram and should not be using the services. When Meta learns an
6 underage user has created a Facebook or Instagram account, Meta removes the account from the
7 service. In addition to asking for people’s date of birth when they create an account and allowing
8 anyone to report a suspected underage account, Meta trains its content reviewers to flag for further
9 investigation reported accounts that appear to be used by people who are underage, and removes
10 those accounts unless the user is able to prove that they meet the minimum age requirements.³⁷

11 32. **Instagram Teen Accounts.** As of September 2024, Meta began placing teens on
12 Instagram in the United States into Teen Accounts, a new experience for teens with built-in
13 protections that limit who can contact teens and the content they see.³⁸ With **default private**
14 **accounts**, teens need to accept new followers, and people who do not follow them cannot see their
15 content or tag, mention, or interact with them. Teen Account protections also include **messaging**
16 **restrictions**, which permit teens to only be messaged by people they follow or are already
17 connected to; **sensitive content restrictions**, which limit the type of sensitive content (such as
18 content that shows people fighting) teens see in places like Reels; **time limit reminders**, which
19 notify teens to leave the app after 60 minutes each day; and **sleep mode**, which mutes notifications
20 overnight and sends auto-replies to direct messages (from 10 p.m. to 7 a.m.). Teens under 16 will
21 need a parent’s permission to change any of these settings to be less strict.

22 33. **Parental Supervision.** On both Facebook and Instagram, Meta empowers parents
23 to work collaboratively with their teens to help them create, explore and connect on Facebook and
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26 ³⁷ Meta, *How Do We Know Someone Is Old Enough to Use Our Apps?* (July 27, 2021),
<https://about.fb.com/news/2021/07/age-verification/>.

27 ³⁸ Instagram, *Introducing Instagram Teen Accounts: Built-In Protections for Teens, Peace of Mind*
28 *for Parents* (Sep. 17, 2024), [https://about.instagram.com/blog/announcements/instagram-teen-](https://about.instagram.com/blog/announcements/instagram-teen-accounts/)
[accounts/](https://about.instagram.com/blog/announcements/instagram-teen-accounts/) [hereinafter Teen Accounts].

1 Instagram in safe, age-appropriate ways.³⁹ Parents and guardians can use supervision tools on
2 Facebook and Instagram to work together to set time limits and schedule breaks; allow parents to
3 see who their teen follows and who follows their teen; enable parents to approve or deny their
4 teens' requests to change default safety and privacy settings to a less strict state; enable parents to
5 view their teen's account privacy settings, sensitive content settings, and messaging settings; and
6 empower teens to notify their parents when they block or report someone.⁴⁰

7 34. ***Control Over Experiences in Feed.*** Facebook and Instagram also offer a number
8 of tools for users to customize their experiences in Feed. By default, the Feed AI systems
9 automatically order posts in the Facebook and Instagram Feeds by predicting what users will find
10 most valuable and relevant. Facebook and Instagram users have the option to choose to view
11 content from people or groups they follow in reverse chronological order. Additionally, on
12 Facebook, users can tap the "Show more, Show less" feature on all posts in Feed, Videos, and
13 Reels to see more of the content they want to see, and less of the content they do not want to see;
14 and similarly, on Instagram, users can indicate "Not Interested" on a recommended post.⁴¹

15 35. Facebook and Instagram also offer a host of tools for users to control how they
16 engage with content. For example, users can unfollow accounts; automatically hide content in Feed
17

18 ³⁹ Meta, *Family Center*, <https://familycenter.meta.com/>.

19 ⁴⁰ Meta, *Giving Teens and Parents More Ways to Manage Their Time on Our Apps* (June 27,
20 2023), [https://about.fb.com/news/2023/06/parental-supervision-and-teen-time-management-on-](https://about.fb.com/news/2023/06/parental-supervision-and-teen-time-management-on-metas-apps/)
21 [metas-apps/](https://about.fb.com/news/2023/06/parental-supervision-and-teen-time-management-on-metas-apps/); Meta, *Introducing Stricter Message Settings for Teens on Instagram and Facebook*
22 (Jan. 25, 2024), [https://about.fb.com/news/2024/01/introducing-stricter-message-settings-for-](https://about.fb.com/news/2024/01/introducing-stricter-message-settings-for-teens-on-instagram-and-facebook/)
23 [teens-on-instagram-and-facebook/](https://about.fb.com/news/2024/01/introducing-stricter-message-settings-for-teens-on-instagram-and-facebook/) [hereinafter *Stricter Message Settings for Teens*]; Meta,
24 *Parental Supervision*, <https://help.instagram.com/309877544512275>; Meta, *Safety Resources for*
25 *Parents*, <https://www.facebook.com/help/1079477105456277>.

26 ⁴¹ Facebook, *New Ways to Customize Your Facebook Feed* (Oct. 5, 2022),
27 <https://about.fb.com/news/2022/10/new-ways-to-customize-your-facebook-feed/>; Meta,
28 *Facebook Feed AI System*, [https://transparency.fb.com/features/explaining-ranking/fb-](https://transparency.fb.com/features/explaining-ranking/fb-feed/?referrer=1)
[feed/?referrer=1](https://transparency.fb.com/features/explaining-ranking/fb-feed/?referrer=1); Meta, *Instagram Feed AI System*,
<https://transparency.fb.com/features/explaining-ranking/ig-feed/?referrer=1>; Instagram, *How to*
See More of What You Want on Instagram (Aug. 30, 2022),
[https://about.instagram.com/blog/tips-and-tricks/control-your-instagram-](https://about.instagram.com/blog/tips-and-tricks/control-your-instagram-feed#:~:text=Use%20the%20%E2%80%98Not%20Interested%E2%80%99%20control%20When%20you%20see,suggest%20fewer%20posts%20like%20it%20in%20the%20future.)
[feed#:~:text=Use%20the%20%E2%80%98Not%20Interested%E2%80%99%20control%20When%20you%20see,suggest%20fewer%20posts%20like%20it%20in%20the%20future.](https://about.instagram.com/blog/tips-and-tricks/control-your-instagram-feed#:~:text=Use%20the%20%E2%80%98Not%20Interested%E2%80%99%20control%20When%20you%20see,suggest%20fewer%20posts%20like%20it%20in%20the%20future.)

1 from selected accounts without unfollowing those accounts; hide comments they do not want to
2 see; hide like counts on all posts in their Feed and all posts they create; and mute push notifications
3 entirely.⁴²

4 36. ***Safety Features for Young Users.*** Meta helps prevent young people from
5 interacting with adults they don't know. Meta has developed technology that allows it to estimate
6 people's ages to determine, for example, whether someone is younger or older than 18. Meta
7 restricts people over 19 years old from sending private messages to teens who do not follow
8 them.⁴³ Meta has also developed technology to identify and automatically disable accounts if they
9 exhibit a certain number of the 60+ signals Meta monitors for potentially suspicious behavior, such
10 as if a teen blocks or reports an adult, or if someone repeatedly searches for terms that may suggest
11 suspicious behavior. Meta further limits potentially suspicious adults from finding, following, or
12 interacting with teens and prevents these adults from finding, following, or interacting with one
13 another.⁴⁴ Similarly, Meta does not show suspicious adults to teens (or vice versa) on the Facebook
14 app in People You May Know recommendations, nor does it show such adults to teens (or vice
15 versa) on the Instagram app in Accounts You May Follow recommendations.

16 37. In an effort to provide age-appropriate experiences for young people on Facebook
17 and Instagram, Meta "age-gates" certain content. Under Meta's policies on restricted and
18 prohibited goods, branded content involving certain adult goods—such as alcohol, cosmetic
19 procedures, and weight loss services—cannot be provided to minors' accounts.⁴⁵

22 ⁴² Instagram, *Introducing Mute: A New Feature to Control Posts on Your Feed* (May 22, 2018),
23 <https://about.instagram.com/blog/announcements/introducing-mute>; Tools, Features, and
Resources, *supra*.

24 ⁴³ Meta, *Continuing to Make Instagram Safer for the Youngest Members of Our Community*
25 (Mar. 17, 2021), [https://about.instagram.com/blog/announcements/continuing-to-make-](https://about.instagram.com/blog/announcements/continuing-to-make-instagram-safer-for-the-youngest-members-of-our-community)
26 [instagram-safer-for-the-youngest-members-of-our-community](https://about.instagram.com/blog/announcements/continuing-to-make-instagram-safer-for-the-youngest-members-of-our-community) [hereinafter *Continuing to Make*
Instagram Safer].

27 ⁴⁴ Meta, *Our Work to Fight Online Predators* (Dec. 1, 2023),
<https://about.fb.com/news/2023/12/combating-online-predators/>.

28 ⁴⁵ Meta, *Branded Content Policies*, <https://help.instagram.com/1695974997209192>.

1 38. **Content Moderation.** Meta’s publicly available Facebook Terms of Service⁴⁶ (to
2 which people must agree to create an account on the Facebook service) and Community
3 Standards⁴⁷ (which users agree not to violate) describe what content is acceptable on Facebook.
4 Meta’s publicly available Instagram Terms of Use⁴⁸ (to which users must agree to create an
5 account on the Instagram service) and Instagram Community Guidelines⁴⁹ (which users agree not
6 to violate) describe what content is acceptable on Instagram.

7 39. The Facebook Terms of Service prohibit users from doing or sharing anything that
8 is “unlawful, misleading, discriminatory or fraudulent” or that “infringes or violates someone
9 else’s rights.”⁵⁰ The Facebook Community Standards provide details about what content is not
10 allowed on Facebook. The Community Standards are organized into six categories: (i) violence
11 and criminal behavior, (ii) safety, (iii) objectionable content, (iv) integrity and authenticity, (v)
12 respecting intellectual property, and (vi) content-related requests and decisions. Within each of
13 those six categories, the Community Standards identify additional subcategories, such as “violent
14 and graphic content,” and “bullying and harassment.” Users can see Facebook’s policy rationale
15 for prohibiting each category of content and examples. For example, the Community Standards
16 explain that “bullying and harassment” is not tolerated on Facebook. Notwithstanding, Facebook
17 recognizes that people sometimes share content that illustrates bullying or harassment to condemn
18 it or raise awareness. Facebook’s policies are designed to allow room for these types of speech.

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21
22 ⁴⁶ *Facebook Terms of Service*, <https://www.facebook.com/terms.php> [hereinafter Facebook
23 Terms].

24 ⁴⁷ *Facebook Community Standards*, <https://transparency.fb.com/policies/community-standards/>
[hereinafter Facebook Community Standards].

25 ⁴⁸ *Instagram Terms of Use*, <https://help.instagram.com/581066165581870> [hereinafter Instagram
26 Terms].

27 ⁴⁹ *Instagram Community Guidelines*, <https://help.instagram.com/477434105621119> [hereinafter
Instagram Community Guidelines].

28 ⁵⁰ Facebook Terms, *supra*.

1 The Community Standards also include information about when content may be accompanied by
2 a sensitivity warning.⁵¹

3 40. Similarly, the Instagram Terms of Use prohibit users from doing or sharing
4 anything that is “unlawful, misleading, or fraudulent or for an illegal or unauthorized purpose” or
5 that would “violate[] someone else’s rights,” and from “post[ing] someone else’s private or
6 confidential information without permission.”⁵² The Instagram Community Guidelines provide
7 detail about what content is not allowed on Instagram, including prohibiting “coordination of
8 harm,” “nudity,” “hate speech,” and “bullying and harassment.”⁵³

9 41. Meta relies on both automated and human review to enforce its terms and policies
10 at scale.⁵⁴ For many categories of content that violate Meta’s policies, such as violent and graphic
11 content and suicide and self-injury content, Meta’s artificial intelligence systems find more than
12 90% of the content it removes before anyone reports it.⁵⁵ Meta has also built artificial intelligence
13 technology to identify suicide-related content and rapidly respond with resources. For other
14 categories of content—such as content that may reflect bullying or harassment—using technology
15 to proactively detect those behaviors can be more challenging than other types of violations. Meta
16 also relies on people to report that behavior so Meta can identify and remove it. Meta also works
17 with first responders to conduct wellness checks based on reports it receives via proactive detection
18 efforts.

19 42. Thousands of people across the company work together to remove millions of
20 pieces of content containing adult nudity, sexual activity, bullying and harassment, child nudity
21 and sexual exploitation of children, and hate speech.

23 ⁵¹ Facebook Community Standards, *supra* (categories as of June 29, 2023); Meta, *Facebook*
24 *Community Standards for Bullying and Harassment*,
<https://transparency.fb.com/policies/community-standards/bullying-harassment/>.

25 ⁵² Instagram Terms, *supra*.

26 ⁵³ Instagram Community Guidelines, *supra*.

27 ⁵⁴ Meta, *Detecting Violations*, <https://transparency.fb.com/enforcement/detecting-violations/>.

28 ⁵⁵ Meta, *Community Standards Enforcement Report* (February 2024),
<https://transparency.fb.com/data/community-standards-enforcement/>.

1 43. Meta recently announced additional measures to protect people from sextortion on
2 Instagram. Meta will hide follower and following lists from potential sextortion scammers,
3 prevent screenshots or screen recordings of ephemeral images or videos sent in private messages,
4 and will blur images that Meta detects as containing nudity when sent or received in direct
5 messages.⁵⁶

6 44. In Meta's Transparency Center,⁵⁷ Meta publicly shares information to help keep
7 people safe and let people hold Meta accountable—including information about Meta's policies
8 (which define what is and isn't allowed on Meta technologies); Meta's transparency reports (which
9 give the community visibility into how Meta enforces its policies); and Meta's enforcement reports
10 (which detail Meta's progress on taking action on content that violates its policies).

11 45. Meta has a robust system in place to restrict or remove content that may be age-
12 inappropriate or violates its policies. For example, Meta restricts the availability of content
13 discussing self-harm or eating disorders from teens, even if it is posted by friends or people they
14 follow.⁵⁸ Meta also restricts the ability of users under 18 to view graphic and violent imagery.⁵⁹
15 For other users, Meta will add warning labels to some graphic or violent imagery so that users are
16 aware of its sensitive nature before they click through. Meta also removes content that goes against
17 the Facebook Community Standards or Instagram Community Guidelines. For example, in Q2
18 2024, Meta took action on 6.6 million pieces of content on Facebook that violated its suicide and
19 self-injury policies, and over 99% of that content was removed before any user reported it.⁶⁰

21 ⁵⁶ Meta, *Our New Education Campaign to Help Protect Teens from Sextortion Scams* (Oct. 22,
22 2024), <https://about.instagram.com/blog/announcements/campaign-against-teen-sextortion/>
[hereinafter Sextortion Campaign].

23 ⁵⁷ Meta, *Transparency Center*, <https://transparency.meta.com>.

24 ⁵⁸ Meta, *New Protections to Give Teens More Age-Appropriate Experiences on Our Apps* (Jan. 9,
25 2024), [https://about.fb.com/news/2024/01/teen-protections-age-appropriate-experiences-on-our-](https://about.fb.com/news/2024/01/teen-protections-age-appropriate-experiences-on-our-apps/)
apps/.

26 ⁵⁹ Meta, *Violent and Graphic Content*, [https://transparency.fb.com/policies/community-](https://transparency.fb.com/policies/community-standards/violent-graphic-content/)
standards/violent-graphic-content/.

27 ⁶⁰ Meta, *Suicide and Self-Injury*, [https://transparency.fb.com/policies/community-](https://transparency.fb.com/policies/community-standards/suicide-self-injury/)
28 standards/suicide-self-injury/.

1 46. When it removes content, Meta will notify the posting user. When Meta removes
2 a user's content for violating Meta's policies, the user may incur a strike against their account.⁶¹
3 For most violations, a first strike results in a warning. If Meta removes additional posts that violate
4 the Facebook Community Standards or Instagram Community Guidelines, the user will incur
5 additional strikes to their account and may lose access to some features for longer periods of time.⁶²
6 If a user continues to post content that goes against Meta's policies, despite repeated warnings and
7 restrictions, Meta may disable or remove the user's account.⁶³

8 47. Meta also has tools that enable users to curate their experience on its services—for
9 example, choosing a list of "Favorite" friends and pages to feature in Feed, blocking content from
10 certain users, and reporting content they consider inappropriate. Facebook gives users the option
11 to hide a single post or opt to see fewer posts from a specific person, page, or group.⁶⁴ Instagram
12 offers users a "not interested" button they can use to remove a post from their feed immediately,
13 and Instagram will suggest fewer posts like it in the future.⁶⁵ Meta has rolled out other features in
14 response to feedback, such as the ability to turn off a counter displaying how many people have
15 "liked" a post or photo. Instagram also offers users the option to hide comments and message
16 requests that are inappropriate, disrespectful, or offensive, as well as manually create a custom list
17 of words, phrases, numbers, and emojis they would like to be hidden.⁶⁶

18 48. Additionally, Meta's Facebook and Instagram Recommendation Guidelines set
19 forth standards used to determine what third-party content is eligible for Meta to recommend to

20 ⁶¹ Meta, *Counting Strikes*, [https://transparency.fb.com/enforcement/taking-action/counting-](https://transparency.fb.com/enforcement/taking-action/counting-strikes/)
21 [strikes/](https://transparency.fb.com/enforcement/taking-action/counting-strikes/).

22 ⁶² Meta, *Restricting Accounts*, [https://transparency.fb.com/enforcement/taking-action/restricting-](https://transparency.fb.com/enforcement/taking-action/restricting-accounts/)
[accounts/](https://transparency.fb.com/enforcement/taking-action/restricting-accounts/).

23 ⁶³ Meta, *Disabling Accounts*, [https://transparency.fb.com/enforcement/taking-action/disabling-](https://transparency.fb.com/enforcement/taking-action/disabling-accounts/)
24 [accounts/](https://transparency.fb.com/enforcement/taking-action/disabling-accounts/).

25 ⁶⁴ Meta, *Control You See in Feed on Facebook*,
<https://www.facebook.com/help/1913802218945435>.

26 ⁶⁵ Meta, *How to See More of What You Want on Instagram* (Aug. 30, 2022),
27 <https://about.instagram.com/blog/tips-and-tricks/control-your-instagram-feed>.

28 ⁶⁶ Meta, *Hide Comments or Message Requests You Don't Want to See on Instagram*,
<https://help.instagram.com/700284123459336>.

1 users.⁶⁷ The Recommendation Guidelines are designed to maintain a higher standard than the
2 Community Standards, because recommended content is from accounts the user has not chosen to
3 follow. Under the Recommendation Guidelines, content may not be eligible for recommendation
4 if, for example, it: (1) impedes Meta's ability to foster a safe community, including violent content,
5 sexually suggestive content, content that discusses or trivializes self-harm or depression, and
6 content promoting certain regulated products; (2) is sensitive or low-quality content about health
7 or finance; or (3) is false or misleading content that includes claims that have been found to have
8 been false by independent fact-checkers.⁶⁸

9 49. ***Safety-Related Information, Resources, and Partnerships.*** Meta provides a
10 Safety Center⁶⁹ that offers expert-backed safety resources, tools, and information for users of both
11 Facebook and Instagram. These include resources and information related to suicide prevention,⁷⁰
12 maintaining mental health and well-being,⁷¹ preventing bullying and harassment,⁷² as well as
13 resources and information of particular interest to parents,⁷³ educators,⁷⁴ journalists, activists, and
14 public figures.⁷⁵ The Safety Center's Parent Portal, Youth Portal, and Child Safety Hub are
15 focused on fostering conversations around online safety, security, and well-being. The Safety

16
17 ⁶⁷ Meta, *Recommendation Guidelines* (Aug. 31, 2020),
18 <https://about.fb.com/news/2020/08/recommendation-guidelines/>; Facebook, *What Are*
19 *Recommendations on Facebook?*, <https://www.facebook.com/help/1257205004624246>
[hereinafter Facebook Recommendations]; Instagram, *Recommendations on Instagram*,
<https://help.instagram.com/313829416281232> [hereinafter Instagram Recommendations].

20 ⁶⁸ Facebook Recommendations, *supra*; Instagram Recommendations, *supra*.

21 ⁶⁹ Meta, *Safety Center*, <https://about.meta.com/actions/safety>.

22 ⁷⁰ Meta, *Suicide Prevention*,
23 <https://about.meta.com/actions/safety/topics/wellbeing/suicideprevention/> [hereinafter Suicide
Prevention].

24 ⁷¹ Meta, *Mental Health & Well-Being*, <https://about.meta.com/actions/safety/topics/wellbeing/>.

25 ⁷² Meta, *Prevent Bullying and Harassment*,
<https://about.meta.com/actions/safety/topics/bullying-harassment/>.

26 ⁷³ Meta, *Parents*, <https://about.meta.com/actions/safety/audiences/childsafety/>.

27 ⁷⁴ *Id.*

28 ⁷⁵ Meta, *Journalists, Activists, and Public Figures*,
<https://about.meta.com/actions/safety/audiences/journalists-activists-public-figures/>.

Center has a dedicated crisis support resources page to help users quickly obtain expert support to address suicide prevention, eating disorders, domestic violence, and child protection.⁷⁶

50. Meta regularly publishes updates about its efforts to remove harmful content and protect user communities. For example, Meta has published articles on how it uses artificial intelligence on Facebook to help suicide prevention efforts,⁷⁷ on Meta’s efforts to protect people on Instagram from abuse by enabling automatic filtering of harmful comments and message requests,⁷⁸ on Meta’s partnership with the National Center for Missing and Exploited Children (NCMEC) in the development of Take It Down,⁷⁹ and on the dozens of tools Meta has developed to support teens and families on its apps—including parental controls, nudges for teens to set time limits on Facebook and Instagram and giving them the ability to set scheduled breaks, nudges to encourage teens to close Instagram after 60 minutes each day, and tools that protect teens against unwanted interactions.⁸⁰

51. Meta collaborates with a number of partners and experts to inform its approach to safety, including the Boys and Girls Club of America, Childhelp, ConnectSafely, the Cyber Civil Rights Initiative, the International Bullying Prevention Association, PACER’s National Bullying Prevention Center, the Yale Center for Emotional Intelligence, and the NCMEC.⁸¹ For example,

⁷⁶ Meta, *Crisis Support Resources*, <https://about.meta.com/actions/safety/crisis-support-resources/>.

⁷⁷ Meta, *How Facebook AI Helps Suicide Prevention* (Sept. 10, 2018), <https://about.fb.com/news/2018/09/inside-feed-suicide-prevention-and-ai/>.

⁷⁸ Meta, *Updates to How We Protect People on Instagram from Abuse* (Oct. 20, 2022), <https://about.fb.com/news/2022/10/protecting-people-on-instagram-from-abuse/>.

⁷⁹ Antigone Davis, *New Updates to Help Prevent the Spread of Young People’s Intimate Images Online*, Meta (Feb. 27, 2023), <https://about.fb.com/news/2023/02/helping-prevent-the-spread-of-young-peoples-intimate-images-online/#:~:text=Built%20in%20a%20way%20that,that%20are%20secure%20digital%20fingerprints.>

⁸⁰ Antigone Davis, *How Meta Is Working to Provide Safe, Age-Appropriate Experiences for Teens*, Meta (Jan. 9, 2023), <https://about.fb.com/news/2023/01/providing-safe-experiences-for-teens/>; Meta, *Giving Teens and their Parents More Ways to Manage Their Time on Our Apps* (June 27, 2023), <https://about.fb.com/news/2023/06/parental-supervision-and-teen-time-management-on-metas-apps/>; Teen Accounts, *supra*.

⁸¹ Meta, *Safety Partners*, <https://about.meta.com/actions/safety/safety-partners.>

1 Meta worked with ConnectSafely to publish a Parent's Guide⁸² with the latest Instagram safety
2 tools and privacy settings and a list of tips and conversation starters to help parents and guardians
3 navigate discussions with their teens about their online presence. Meta also worked with the
4 Digital Wellness Lab team on a Family Digital Wellness Guide to help families learn about media-
5 related health issues. Facebook and Instagram are founding members of Take It Down, a service
6 designed to proactively prevent young people's inappropriate intimate images from spreading
7 online. Meta partnered with the NCMEC in the development of Take It Down. Moreover,
8 Instagram recently announced a new educational campaign informed by NCMEC and Thorn to
9 help teens spot sextortion scams and help parents support their teens in avoiding these scams.⁸³

10 User Data

11 52. While Meta uses data it collects to decide which advertisements and other
12 sponsored or commercial content to show each user, it also (as documented in its Privacy Policy)
13 collects and makes use of user data in part to make Facebook and Instagram functional and to
14 promote safety, security, and integrity on the services.⁸⁴

15 53. Information Meta collects on these services includes, for example, information that
16 users provide during the sign up process, such as email addresses, phone numbers, language
17 preference, and age; as well as information about users' activities on the services, such as posts,
18 messages, and actions taken in Facebook and Instagram; the user's friends, followers, and other
19 connections; and information from the app, browser, and device on which a user accesses
20 Facebook or Instagram.

21 54. Meta collects this information to help make Facebook and Instagram functional.
22 For example, Meta's collection and use of this data allows users to create and maintain their own
23 Facebook and Instagram accounts and friends lists; allows users to see new content (as opposed to
24 content they have seen before) when they log in to the services; and enables users to interact and

25
26 ⁸² Meta, *Helping Your Teen Navigate Instagram Safely*,
<https://about.instagram.com/community/parents>.

27 ⁸³ Sextortion Campaign, *supra*.

28 ⁸⁴ Meta, *Privacy Policy*, <https://www.facebook.com/privacy/policy> [hereinafter Privacy Policy].

1 communicate with one-another.

2 55. Meta also collects and makes use of user data to provide safety and security features
3 for all users, including young people. For example, Meta collects and uses phone numbers and
4 computer and browser information so that users can protect their accounts with two-factor
5 authentication.⁸⁵ Meta also collects and uses user information to verify accounts and activity; to
6 find and address violations of the Facebook Terms of Service and the Instagram Terms of Use; to
7 detect, prevent, and combat harmful or unlawful behavior, such as to review and, in some cases,
8 remove content reported to Meta; and to investigate suspicious activity—for example, Meta might
9 store and use information about a user’s typical location during sign-in to detect and prevent
10 suspicious sign-in attempts.⁸⁶ Meta also uses user data and machine learning technology to
11 identify possible suicide or self-injury content, and to help Meta’s Community Operations team
12 prioritize and evaluate urgent posts, including contacting emergency services when users might be
13 at risk of harm.⁸⁷

14 **The California Protecting Our Kids from Social Media Addiction Act’s Impact on**
15 **Facebook and Instagram**

16 56. I understand that on or around September 20, 2024, the State of California enacted
17 the Protecting Our Kids from Social Media Addiction Act, Cal. Health and Safety Code §§ 27000
18 to 27007 (the “Act”). I understand that both Facebook and Instagram are covered “service[s] or
19 application[s]” with users in California, as defined by the Act at §27000.5(b). I understand that
20 many of the Act’s relevant provisions will go into effect on January 1, 2025. I understand that,
21 should the Act go into effect, Facebook and Instagram will be subject to it, as neither service
22 appears to fall within any of the exceptions listed at §27000.5(a)(1)–(7) and §27000.5(b)(2).

23 57. I understand that the Act’s restrictions only apply to certain in-scope services.
24

25 ⁸⁵ Meta, *Securing Your Instagram Account with Two-Factor Authentication*,
26 <https://help.instagram.com/566810106808145>; Meta, *How Two-Factor Authentication Works on*
27 *Facebook*, <https://www.facebook.com/help/2FAC/>.

27 ⁸⁶ Privacy Policy, *supra*.

28 ⁸⁷ Suicide Prevention, *supra*.

1 Teens move fluidly across online services and Facebook and Instagram are only one part of the
2 online ecosystem. We can most effectively protect youth if the whole industry works together to
3 achieve this goal. As a general matter, narrowing the responsibility of youth safety to only certain
4 websites based on arbitrary distinctions can lead to a new marketplace for unmonitored services
5 with no incentive to build new safeguards.

6 58. I understand that that the Act will restrict certain California account holders from
7 accessing personalized feeds on Facebook and Instagram—*i.e.*, a feed “in which multiple pieces
8 of media generated or shared by users are, either concurrently or sequentially, recommended,
9 selected, or prioritized for display to a user based, in whole or in part, on information provided by
10 the user, or otherwise associated with the user’s device,” with limited exceptions. §§ 27000.5–
11 27001. I understand the Act will additionally prohibit certain California account holders from
12 receiving notifications during certain times of day. § 27002(a). I understand that these restrictions
13 will initially apply to users who are known minors that do not have verified parental consent to
14 access personalized feeds or to receive such notifications; and then, on January 1, 2027, the Act’s
15 restrictions will apply to all existing or prospective California account holders who do not wish to
16 go through the Act’s mandated age assurance processes. §§ 27001–27002.

17 59. I understand that many people do not always have access to the forms of
18 identification or other documents or information that may be necessary for a social media service
19 to assure the person’s age, §27006(b). I understand that other people may find age-assurance
20 processes cumbersome, particularly if they are required to undergo them on an app-by-app basis.
21 I understand that lack of identification access disproportionately impacts underserved communities
22 around the world, particularly young women. I also understand that some people may be
23 uncomfortable sharing identification.

24 60. I understand that if the Act goes into effect, minors may be severely restricted in
25 what they can see and how they can express themselves on Facebook and Instagram unless a
26 verified parent is willing and able to go through additional processes, which some may find
27 cumbersome on an app-by-app basis, to verify their parental relationship and affirmatively
28 consent. Absent verifiable parental consent, I understand that the Act will preclude California

minors from deciding whether they would like to use Facebook or Instagram to access personalized feeds or to receive notifications (such as “marked safe” alerts following weather emergencies or urgent alerts from local government, public health agency, or first responder Pages during active shooter situations, public health emergencies, missing persons cases, or road closures) during certain times of day.

61. I understand that the Act’s age assurance and verifiable parental consent requirements could deter minors and adults alike from accessing the services. I understand that if the Act goes into effect, such persons may not be able to use Facebook or Instagram to make social connections; showcase their creative talents; gather information about non-profit organizations, sports teams, and the world around them; engage with religious institutions, out-of-state universities, and educational materials; start or grow their businesses; receive voter registration information; participate in political discourse (including with other users or even directly with political candidates); or engage in any number of other potential uses of these services.

62. I understand that Act’s restrictions on “personalized feeds” will severely limit Meta’s ability to personalize Facebook and Instagram users’ experiences based on their likes, dislikes, and interests, and will limit Meta’s ability to disseminate the kind of third-party content that users have demonstrated an interest in. As a result, the experience on Facebook and Instagram may no longer be valuable or even recognizable to users of Facebook and Instagram.

63. In short, if the Act’s restrictions go into effect, they will, among other things, burden, if not outright prevent, users’ ability to access expression or express themselves on Facebook and Instagram, connect or engage with their family and friends there, and will reduce users’ access to information about local businesses, non-profits, educational and religious institutions, sports teams, or events in their community.

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I declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the foregoing is true and correct to the best of my knowledge.

Dated: 11/6/2024

Signed by:

 By: 238F9400FCDB4B3...
 Antigone Davis